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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 In re:
8 CENTURION PROPERTIES III, LLC,
9 Debtor.

10 CENTURION PROPERTIES III, LLC,
11 and SMI GROUP XIV, LLC,

12 Plaintiffs,
13 vs.
14 THOMAS R. HAZELRIGG III, et al.,
15 Defendants.

NO: CV-12-5130-RMP
Bankruptcy No: 10-5024-FLK 11
Adversary No: 10-80118-FLK

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20 ORDER GRANTING MOTION FOR
PARTIAL WITHDRAWAL OF THE
REFERENCE

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22 This matter comes before the Court on Plaintiffs' motion for a partial
23 withdrawal of the reference, ECF No. 1. Defendant Chicago Title Insurance
24 Company ("Chicago Title") does not oppose the motion. ECF No. 1, at 25-26.
25 The Court has reviewed the motions, the responses, other relevant filings, and is
26 fully informed.

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28 ORDER GRANTING PARTIAL WITHDRAWAL OF THE REFERENCE ~ 1

1 The bankruptcy court has resolved all core proceedings in this matter,
2 entered a final decree, and closed the bankruptcy case. All that remains in this
3 adversary case is a state law tort claim asserted by Plaintiffs against Defendant
4 Chicago Title. Plaintiffs allege that Chicago Title recorded junior encumbrances
5 against land owned by Plaintiff Centurion Properties III, LLC (“CPIII”) in
6 violation of certain agreements, thereby causing CPIII to default on its senior
7 mortgage. Plaintiffs seek money damages for their claims. Chicago Title denies
8 Plaintiffs’ claims.

9 The remaining state law claim does not fall in to any of the categories of
10 “core proceedings” defined by 28 U.S.C. § 157(b)(2), nor is the state law claim
11 otherwise related to a title 11 bankruptcy case under 28 U.S.C. § 157(c)(1).
12 Therefore the Court determines that withdrawal of the reference to the bankruptcy
13 court is appropriate under 28 U.S.C. § 157(d).

14 Accordingly, **IT IS HEREBY ORDERED** that Plaintiffs’ motion for a
15 partial withdrawal of the reference, **ECF No. 1**, is **GRANTED**.

16 The District Court Executive is hereby directed to enter this Order and to
17 provide copies to counsel.

18 **DATED** this 27th day of December 2012.

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20 *s/ Rosanna Malouf Peterson*
ROSANNA MALOUF PETERSON
Chief United States District Court Judge